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EXAMINER

NGUYEN, NAM V

ART UNIT	PAPER NUMBER
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2635

DATE MAILED: 01/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

9

Office Action Summary	Application No. 09/869,542	Applicant(s) SUURONEN ET AL.	
	Examiner Nam V Nguyen	Art Unit 2635	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10, 12-15 and 17-72 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10, 12-15 and 17-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 September 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This communication is in response to applicant's response to an Amendment which is filed September 7, 2004.

An amendment to the claims 1, 11 and 17 have been entered and made of record.

Claim 11 is cancelled. The new set of claims 66-72 are introduced.

Claims 1-10, 12-15 and 17-72 are pending.

Response to Arguments

The corrected or substitute drawing were received on September 7, 2004. These drawing are accepted. Applicant is advised to submit new formal drawings including changes required by the proposed drawing correction filed on September 7, 2004, which has been approved by the examiner.

Applicant's amendment and argument with respect to the pending claims 1-10, 12-15 and 17-72, filed September 7, 2004 have been fully considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7, 12-13, 17-22, 25-28, 33-44, 47-51, 54-60, 63-65, 67-68 and 70-72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US# 6,133,847) in view of Duhamel et al. (US# 5,541,585).

Referring to claims 1, 17, 67 and 70-71, Yang discloses a method and an arrangement for configuring a device (160) (i.e. an appliance) of a system by transferring control information (i.e. program control data) from a portable controller (100) (i.e. a portable configurable remote control device) thereto (column 2 lines 15 to 41), wherein the portable controller (100) comprises: (column 2 lines 15 to 41):

Input means (112) (i.e. a receiver of a data interface 110) for receiving the control information (i.e. program control data) for configuring the device (160) (i.e. an appliance of a variety of different types of apparatuses) (column 7 lines 13 to 26; see Figures 1-4);

Memory circuitry (120) (i.e. a memory) for arranged to store and retrieve the control information (i.e. program control data) for configuring the device (160) (i.e. an appliance) (column 3 lines 7 to 65; see Figure 1); and

The output means (114) (i.e. a transmitter of a data interface 110) for transferring to the system the retrieved control information (i.e. program control data) for configuring the device (160) (column 7 lines 26 to 47; see Figure 4); and

wherein the system (see Figure 1) comprises:

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means (150) (i.e. a data link) for coupling with the output means (112) of the portable controller (100) to transfer the retrieved control information (i.e. program control data) to the system (column 3 lines 30 to 65; see Figures 1-3).; and

control means (not shown) (i.e. a controller of the appliance 160) arranged to configure the device (160) in dependence upon the transferred control information (i.e. control signals) (column 3 lines 66 to column 4 line 14; column 7 lines 29 to 47; see Figures 1-3).

However, Yang did not explicitly disclose the portable controller transfers to the system the retrieved control information for configuring the device in response to the portable controller entering the environment of the system.

In the same field of endeavor of a portable remote control system, Duhamel et al. teach that the portable controller (18) (i.e. a portable transceiver) transfers to the system (i.e. a security system) the retrieved control information (i.e. a unique code) for configuring the device (38) (i.e. electronic appliances) in response to the portable controller (18) entering the environment of the system (i.e. within an interrogation signal zone) (column 4 lines 3 to 62; column 7 lines 3 to 57; see Figure 1-3) in order to perform activation operation programmed for each portable transceiver.

One of ordinary skill in the art recognizes a portable remote control transceiver to activate appliances within an approach zone of Duhamel et al. with a configurable remote control device to control functions of a variety of different types of apparatuses of Yang because Yang suggests it is desired to configure a remote control device to select a function which an appliance should be operated (column 7 lines 13 to 47) and Duhamel et al. teach that a portable transceiver transmits a response signal to control an appliance within an approach zone (column 7 lines 3 to

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28; see Figures 1-3) in order to control and activate a particular function of any one of appliances. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a portable remote control transceiver to activate appliances within an approach zone of Duhamel et al. with a configurable remote control device to control functions of a variety of different types of apparatuses of Yang with the motivation for doing so would have been to control and to activate functions of a variety of different types of apparatuses when approach an approach zone.

Referring to claim 2, Yang in view of Duhamel et al. discloses an arrangement as claimed in claim 1, Duhamel et al. disclose wherein the system comprises a plurality of devices (38 and 52) and the control means (16) (i.e. a fixed transceiver) is arranged to configure the devices (38 and 52) in dependence upon transferred control information (a response signal) (column 4 lines 49 to 62; see Figure 1).

Referring to claims 3-4 and 19, Yang in view of Duhamel et al. discloses a controller as claimed in Claims 1 and 18, Yang discloses wherein the output means (114) (i.e. a transmitter of a data interface 110) is arranged to transfer to the system retrieved control information (i.e. control signals) for the devices (160 and 200) of the system (column 3 lines 30 to 46; see Figures 1-4).

Referring to claims 5, 21, and 33-35, Yang in view of Duhamel et al. discloses an arrangement and a controller as claimed in Claims 1 and 17-20, Yang discloses wherein the

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memory circuitry (120) stores and retrieves control information corresponding to the user's personal preferences (column 3 lines 47 to 65; see Figures 1-4).

Referring to claims 6, 22, 36-39 and 68, Yang in view of Duhamel et al. discloses an arrangement, a method and a controller as claimed in Claims 1, 17-21 and 67, Yang discloses wherein the memory circuitry (120) stores and retrieves information identifying a particular system and only outputs control information corresponding to the (200) (i.e. a VCR) or devices (i.e. appliances) of that particular system (column 3 lines 7 to 65; column 4 lines 6 to 38; see Figures 1-4).

Referring to claim 7, Yang in view of Duhamel et al. discloses an arrangement as claimed in Claim 1, Duhamel et al. disclose wherein the device or devices are security devices ((46) (i.e. a door lock mechanism) (column 5 lines 48 to 59; see Figure 1-4).

Referring to claim 12, Yang in view of Duhamel et al. disclose an arrangement as claimed in Claim 1, Duhamel et al. disclose wherein the controller (18) is a handportable radio device (column 4 lines 38 to 45; see Figure 1).

Referring to claim 18, Yang in view of Duhamel et al. discloses a controller as claimed in Claim 17, Yang discloses wherein memory circuitry (120) (i.e. memory) is arranged to store control information (i.e. programming control data code) for configuring a plurality of devices (160 and 200) of the system (column 3 lines 7 to 13; column 3 lines 47 to 65; see Figures 1-4).

Referring to claim 20, Yang in view of Duhamel et al. discloses a controller as claimed in Claim 17, Yang discloses wherein the output means (114) transfers to the system retrieved control information (i.e. control signals) for a selection of devices (160 or 200) of the system defined by the user (i.e. using a user interface) (column 3 lines 47 to 65; see Figures 1-4).

Referring to claims 25-26, 40-44 and 72, Yang in view of Duhamel et al. discloses a method and a controller as claimed in Claims 17-22, Yang discloses wherein said output means (114) comprises means for establishing a bi-directional link with the system and for performing a handshaking procedure with the system (column 3 line 66 to column 4 line 5; column 7 lines 13 to 34; see Figures 1-4).

Referring to claims 13, 27, 47-51 and 54-55, Yang in view of Duhamel et al. discloses a method and a controller as claimed in Claims 1, 17-22 and 25-26, Yang discloses wherein said output means (114) (i.e. a transmitter of a data interface 110) comprises an electrical interface of IR interface (114) or radio interface (column 3 lines 24 to 29; see Figures 1-3).

Referring to claims 28, 56-60 and 63-65, Yang in view of Duhamel et al. discloses a method and a controller as claimed in Claims 17-22 and 25-27, Duhamel et al. disclose wherein the power to operate said controller (100) is provided by the system (160) to which control information is transferred (column 7 lines 13 to 34; see Figure 1).

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Claims 8-10, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US# 6,133,847) in view of Duhamel et al. (US# 5,541,585) as applied to claim 1, and in further view of Hammons (US# 5,791,407).

Referring to claim 8, Yang in view of Duhamel et al. disclose an arrangement as claimed in claim 1, however, Yang in view of Duhamel et al. did not explicitly disclose wherein the system is a vehicle control system.

In the same field of endeavor of remote control system, Hammons teaches that a remote and programmable vehicle control system (column 1 lines 40 to 54; see Figure 1) in order to control the plurality of vehicle function by a transmitter unit.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a transmitter unit to control a vehicle system of Hammons in a configurable remote control device of Yang in view of Duhamel et al. because using a transmitter unit to control a vehicle system would increase effective service that has been shown to be desirable in the remote control device of Yang in view of Duhamel et al.

Referring to claim 9, Yang in view of Duhamel et al. and in further view of Hammons disclose an arrangement as claimed in Claim 8, Hammons discloses wherein the device or devices (60 to 78) are selected from devices (60 to 78) including an alarm, an immobilizer, a seat positioner, a mirror positioner, door/boot locks, temperature/ventilation controller, an engine management device, and servicing interface device (column 3 lines 22 to 43; see Figure 1).

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Referring to claim 10, Yang in view of Duhamel et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the controller (20) is removable from the environment of the system (5) (column 2 lines 50 to 56; column 5 lines 61 to column 6 line 11; see Figure 3).

Referring to claim 14, Yang in view of Duhamel et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the device (60 to 78) is electronically controlled by the system (5) (column 3 lines 22 to 43; see Figure 1).

Referring to claim 15, Yang in view of Duhamel et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the system (5) comprises a processor (10) and memory (12) (column 2 line 63 to column 3 line 11; see Figure 1), wherein the memory (12) stores the transferred information and the processor (10) controls the operation of the device (60 to 78), reconfiguring it in dependence upon the received control information (i.e. control signals) (column 3 line 44 to column 4 lines 36; see Figure 2).

Claims 23-24, 45-46, 52-53, 61-62 and 69 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US# 6,133,847) in view of Duhamel et al. (US# 5,541,585) as applied to claims 22 and 67, and in further view of Farleigh (US# 6,208,388).

Referring to claims 23-24 and 69, Yang in view of Duhamel et al. discloses a controller as claimed in claims 22 and 67, however, Yang in view of Duhamel et al. did not explicitly

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disclose wherein the memory circuitry comprises a look-up table for associating the identity of the system and its devices with the respective device control information.

In the same field of endeavor of remote control program system, Farleigh teaches that a memory circuitry (44) comprises a look-up table for associating the identity of the system (10) (i.e. a channel responsive television input signal interface circuit) and its devices (14) (i.e. a television) with the respective device control information (i.e. broadcast signals) (column 5 lines 11 to 39; column 37 to 64; see Figures 2B and 5) in order to store user selection program.

One of ordinary skilled in the art recognizes using a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Yang in view of Duhamel et al. because Yang suggests it is desired to program the keys used to select a function which the controlled appliance should be operated (column 3 lines 47 to 65) in order to control a particular function of an appliance and Farleigh teaches that using a look-up table memory to store associating the identity of a channel responsive television input signal interface circuit in order to reduce time for selection of the same program. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Yang in view of Duhamel et al. with the motivation for doing so would have been to provide controller to select a controlled program quickly in a remote and programmable control system.

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Referring to claims 45-46, 52-53 and 61-62, Yang in view of Duhamé et al. and in further view of Farleigh discloses a controller as claimed in Claims 23-24, the claims 45-46, 52-53 and 61-62 same in that the claims 25-28 already addressed above therefore claims 45-46, 52-53 and 61-62 are also rejected for the same reasons given with respect to claims 25-28.

Claim 66 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yang (US# 6,133,847) in view of Duhamé et al. (US# 5,541,585) as applied to claim 17, and in further view of Grube et al. (US# 5,201,067).

Referring to claim 66, Yang in view of Duhamé et al. discloses a controller as claimed in claim 17, however, Yang in view of Duhamé et al. did not explicitly disclose wherein the portable controller comprises a mobile phone.

In the same field of endeavor of remote control system, Grube et al. teaches that a portable controller (100) (i.e. a personal communications device) comprises a mobile phone (i.e. cellular phone) (column 3 line 48 to column 4 line 8; see Figures 1-2) in order to facilitate remote control of a remote controlled device.

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to recognize using a cellular telephone to transmit control signals of Grube et al. with a configurable remote control device of Yang in view of Duhamé et al. because using a personal cellular telephone to transmit control signals would improve the reliable communication and increase effective service that has been shown to be desirable in the remote control device of Yang in view of Duhamé et al.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Nickum (US# 6,359,661) discloses a multiple user profile remote control.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 571-272-3061. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 571-272-3068. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen
January 7, 2005



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